

REMARKS

Claims 1, 7-18, 22, and 23 are pending. Claims 1, 7-9, and 22 stand allowed and claims 10-18 and 23 stand rejected. By virtue of this response, no claims are amended, added, or cancelled. Accordingly, claims 1, 7-18, 22, and 23 are currently under consideration.

Allowable Subject Matter

Applicants thank the Examiner for the indication of allowable subject matter. In particular, that claims 1, 7-9, and 22 are allowed.

Claim Rejections under 35 USC §103

A. Claims 10-14, 16-18, and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Takano (U.S. Patent No. 7,100,173) in view of Wanger (U.S. Patent No. 5,043,962) and Yoshida (U.S. Patent No. 5,886,853).

Applicants respectively traverse the rejection and submit that the combination of Takano, Wanger, and Yoshida fails to disclose or suggest the recited features of claim 10. For reference, claim 10 recites:

Claim 10: A storage library system, comprising:

- a vertical stationary support member having a first major axis oriented vertically;
- a cartridge transport assembly coupled to the vertical stationary support member and moveable along the first major axis, the cartridge transport assembly comprising:
 - a first assembly coupled to the vertical stationary support member;
 - a first actuator fixed to the first assembly and coupled to the vertical stationary support member, the first actuator operable to actuate linear movement of the first assembly along the vertical stationary support member;
 - a second assembly movably coupled to the first assembly;
 - a second actuator engaging the first and second assemblies configured to actuate linear movement of the second assembly along a second axis non-parallel to the first major axis;
 - a third assembly movably coupled to the second assembly;

a third actuator engaging the second and third assemblies configured to actuate linear movement of the third assembly along a third axis non-parallel to the first major axis and the second axis; and a cartridge retrieval mechanism coupled to the third assembly.

The Examiner concedes on page 3 of the final Office Action that the combination of Takano and Wanger fails to disclose or suggest “a first actuator fixed to the first assembly and coupled to the vertical stationary support member, the first actuator operable to actuate linear movement of the first assembly along the vertical stationary support member,” and looks to the disclosure of Yoshida to modify the references and cure the deficiency. In particular, the Examiner states that “Yoshida teaches a first actuator 105 fixed to a first assembly 101 in order to keep the actuators together for ease of maintenance.” (final Office Action, page 3.)

Applicants respectively disagree and submit that Yoshida fails to disclose or suggest the alleged features of claim 10, and further submit that the combination of Takano, Wanger, and Yoshida fails to disclose or suggest the recited features of claim 10. In particular, the identified motor 105 of Takano fails to disclose or suggest “a first actuator fixed to the first assembly,” as recited by claim 10. Takano discloses that motor 105 is fixed with respect to traveling member 101, which moves horizontally along guide rail 7 and not vertically with respect to arm 103 (or the structure associated with arm 103 that moves vertically with respect to support 102). (see, e.g., Yoshida: Fig. 4 and col. 5, lines 52 to col. 6, lines 16.) More specifically, motor 105 is not fixed with respect to a “first assembly,” which is recited as operable to move along the vertical stationary support member (e.g., along support 102 of Yoshida); rather, motor 105 is fixed with respect to traveling member 101, which is clearly described and shown moving along horizontal guide rail 7. (see, e.g., Yoshida: Fig. 4.)

Furthermore, although motor 105 is described as providing movement of the arm 103 in the Y direction (col. 6, lines 17-24) in a manner similar to Takano, there is no teaching or suggestion for including motor 105 with arm 103 or associated structure. Additionally, the Examiner has not provided a sufficient reason or identified the desirability to modify the disclosure of Takano and/or Wanger in a manner to include a motor with a first assembly as present recited,

nor has the Examiner alleged a reason on the record (other than the unsupported statement of “for ease of maintenance”).

Accordingly, because motor 105 is fixed with respect to traveling member 101 (which moves horizontally along guide rails 7) and is not fixed with respect to the structure of arm 103 (which moves vertically along support 102), Yoshida fails to disclose or provide a suggestion for modifying Takano and Wanger to meet the recited features of claim 10.

Accordingly, the rejection must be withdrawn and claim 10 allowed. Additionally, all claims depending from claim 10 should be allowed.

B. Claim 15 stands rejected under 35 U.S.C. 103(a) as obvious over Takano (U.S. Patent No. 7,100,173) in view of Wanger (U.S. Patent No. 5,043,962) as applied to claim 10, and further in view of Hanaki (U.S. Patent No. 6,483,204).

Claim 15 depends from claim 10 and is allowable for at least Takano, Wagner, and Yoshida for at least the reasons stated above. The addition of Hanaki fails to cure the deficiencies identified above. Accordingly, claim 15 should be allowed.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212023500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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